IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 6TH NOVEMBER 2006 / 15TH KARTHIKA 1928

Bail Appl..No. 6558 of 2006()

CC.778/2006 of J.M.F.C., KAYAMKULAM
CRIME NO.63/2006 OF VALLIKUNNAM POLICE STATION.

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PETITIONERS/ACCUSED 1 TO 3 AND 5:

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1. VIJAYAMMA, W/O. KRISHNAN,
   KAIPALLIL KIZHAKKETHIL, TAJIRADI MURI,
   VALLIKUNNAM VILLAGE.

2. GIREESH, S/O. KRISHNAN OF -DO-.

3. SUDHEESH, S/O. KRISHNAN OF -DO-.

4. BHADRAN, S/O. SUKUMARAN,
   ABHILASH BHAVANAM, TAJIRADI MURI,
   VELLIKULAM VILLAGE.

BY ADV. SRI.GEORGE VARGHESE(PERUMPALLIKUTTIYIL)
SRI.A.R.DILEEP
SMT.KAVITHA GANGADHARAN

RESPONDENTS: STATE AND COMPLAINANT:

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1. STATE OF KERALA,
   REPRESENTED BY THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA.

2. SUB INSPECTOR OF POLICE,
   VALLIKUNNAM POLICE STATION, VALLIKUNNAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

Bail Application No. 6558 of 2006

Dated this the 6th November, 2006.

O R D E R

Petitioners are accused 1 to 3 and 5 in C.C.No.778/2006, on the file of the Judicial First Class Magistrate Court, Kayamkulam, (Crime No.63/2006 of Vallikunnam Police Station), for the offence punishable under Sections 323, 324 and 326 IPC, read with Section 34 IPC. Petitioners are before this Court under Section 438 Cr.P.C. for a pre-arrest order.

2. The learned Public Prosecutor submitted that 3rd accused, 3rd petitioner herein, had already been arrested on 31.10.2006, and released on bail. It is also submitted that the investigation is complete and final report has already been filed.

3. Considering the facts situation, I dispose of this application, directing the petitioners 1, 2 and 4, accused 1, 2 and 5, to surrender before the court below on 14.11.2006, at 11 A.M., and move application(s) for bail. The learned Magistrate shall allow the petitioners 1,2 and 4 to be on bail, imposing such conditions, as are deemed necessary.

4. The prayer of the 3rd petitioner, 3rd accused, has become infructuous.

J.M. JAMES,
JUDGE

nj.